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XRP II, LLC, and Bradley Garlinghouse*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re RIPPLE LABS INC. LITIGATION

Case No. 4:18-cv-06753-PJH

This Document Relates to:  
  
ALL ACTIONS

**JOINT STIPULATION AND  
[PROPOSED] ORDER MODIFYING  
CASE SCHEDULE**

1           Lead Plaintiff Bradley Sostack and Defendants Ripple Labs Inc., XRP II, LLC, and  
 2           Bradley Garlinghouse (collectively the “Parties”), by and through undersigned counsel, hereby  
 3           stipulate to the following:

4           1.       On November 16, 2020, the Court issued a Case Management and Pretrial Order,  
 5           which set forth pretrial deadlines, including a non-expert discovery cutoff of April 15, 2022.  
 6           ECF No. 124 & ECF No. 125.

7           2.       The Parties have been diligently engaged in fact discovery since the Court issued  
 8           its Pretrial Order, including both producing documents and responding to written discovery.

9           3.       Ripple is concurrently litigating a case against the Securities and Exchange  
 10          Commission in the Southern District of New York that involves many of the same factual and  
 11          legal questions at issue in this case, including whether XRP is a “security” under federal  
 12          securities law. *SEC v. Ripple Labs Inc. et al.*, Case No. 20 Civ. 10832 (AT) (S.D.N.Y.) (the  
 13          “SEC Action”).

14          4.       Due to the overlap of factual and legal issues between this case and the SEC  
 15          Action, the Parties agree that there are efficiencies in having certain aspects of the SEC Action  
 16          precede certain deadlines in this action. Doing so will reduce the burden on the Parties,  
 17          streamline discovery in this case, and potentially reduce the burden on the Court by narrowing  
 18          the issues in dispute.

19          5.       To ensure this case is nonetheless proceeding efficiently, and in as timely a  
 20          fashion as developments in the SEC Action permit, the Parties have agreed to a revised schedule  
 21          set forth below.

22          6.       Pursuant to Local Rule 6-2(a)(2), the Parties state that there have been no  
 23          previous modifications to the case schedule since the Court issued its Pretrial Order, ECF No.  
 24          125.

25          7.       The Parties stipulate and agree and request the Court modify the pretrial schedule  
 26          as follows:

	<b>Current Date</b>	<b>New Agreed Date</b>
<b>Class Certification Motion</b>	August 26, 2022 (ECF No. 124)	November 18, 2022
<b>Class Certification Opposition</b>	September 23, 2022 (ECF No. 124)	January 27, 2023
<b>Class Certification Reply</b>	October 12, 2022 (ECF No. 124)	March 24, 2023
<b>Non-Expert Discovery Cutoff</b>	April 15, 2022 (ECF No. 125)	March 31, 2023
<b>Class Certification Hearing</b>	November 23, 2022 (ECF No. 124)	April 26, 2023
<b>Plaintiff's Expert Disclosures</b>	May 13, 2022 (ECF No. 125)	April 28, 2023
<b>Defendants' Expert Disclosures</b>	June 10, 2022 (ECF No. 125)	May 26, 2023
<b>Plaintiff's Expert Rebuttal</b>	July 8, 2022 (ECF No. 125)	June 23, 2023
<b>Expert Discovery Cutoff</b>	July 29, 2022 (ECF No. 125)	July 21, 2023
<b>Dispositive Motions Filed</b>	December 16, 2022 (ECF No. 124)	August 25, 2023
<b>Dispositive Motion Oppositions</b>	January 27, 2023 (ECF No. 124)	September 22, 2023
<b>Dispositive Motion Replies</b>	February 17, 2023 (ECF No. 124)	October 20, 2023
<b>Dispositive Motions Heard By</b>	March 15, 2023 (ECF No. 125)	November 22, 2023
<b>Pretrial Conference</b>	June 22, 2023 (ECF No. 125)	December 22, 2023
<b>Trial Date</b>	July 17, 2023 (ECF No. 125)	January 29, 2024

1 DATED: February 23, 2022

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2 By: /s/ Suzanne E. Nero

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*Counsel for Lead Plaintiff Bradley Sostack*

**[PROPOSED] ORDER**

For good cause shown, the Parties' Joint Stipulation Modifying Pretrial Schedule is GRANTED. It is hereby ORDERED that the Parties' modified pretrial schedule shall be adopted.

Dated: \_\_\_\_\_, 2022

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THE HONORABLE PHYLLIS J. HAMILTON

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)(3)**

I, Suzanne E. Nero, attest that each of the other Signatories on this JOINT  
STIPULATION AND [PROPOSED] ORDER MODIFYING PRETRIAL SCHEDULE have  
concurred in the filing of this document.

/s/ Suzanne E. Nero  
Suzanne E. Nero